HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No. 26169 of 2006

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Between:

Adivasi Samkshema Parishath,
Andhra Pradesh, rep. by its
State Convenor, Sonde Veeraiah

…Petitioner

And

Andhra Pradesh State Road Transport Corporation,
Rep. by its Regional Manager,
Khammam & others

….Respondents.

:: O R D E R ::

Counsel for the petitioner : Shri P.V. Ramana

Counsel for the respondents : Smt. P. Rajani Reddy

02.04.2007

Per G.S. SINGHVI, CJ

In this petition, the petitioner has prayed for quashing tender notice dated 15.11.2005 issued by Andhra Pradesh State Road Transport Corporation (for short 'the Corporation') for construction of shops/stalls in the bus stations, depots situated in scheduled areas of the State. It has further prayed for issue of a direction to respondent Nos. 1 to 3 to implement the provisions of Section 3 of the Andhra Pradesh Scheduled Areas Land Transfer Regulations 1 of 1959 (for short 'the 1959 Regulations), as amended in 1971.

Notice to respondent Nos. 1 to 3.

Smt. P. Rajani Reddy, learned counsel accepts notice.

We have heard learned counsel for the parties and perused the record. In our opinion, it is not necessary to delve deep into the factual matrix of the case or the legal issues raised in the writ petition because we feel that ends of justice will be adequately met by issue of a direction to respondent Nos. 1 to 3 to consider representation dated 12.09.2006 made by the petitioner to the respondents requiring them to act strictly in accordance with Section 3 of the 1959 Regulations and nullify the allotment of shops to non-tribals.

Hence, the writ petition is disposed of with the direction that within two months from today, respondent Nos. 1 to 3 shall consider representation dated 12.09.2006 made by the petitioner along with the documents, which have been placed on record of this petition, and decide the same by passing a speaking order.

If the concerned authority of the Corporation agrees with the contention of the petitioner that the leasing out of the properties situated within the scheduled areas is contrary to Section 3 of the 1959 Regulations and it is necessary to terminate the leases, then appropriate action shall be taken after giving notice and opportunity of hearing to the affected persons.

As a sequel to disposal of the writ petition, W.P.M.P.No. 33605 of 2006 filed by the petitioner for interim relief is disposed of as infructuous.

G.S.SINGHVI, CJ

C.V.NAGARJUNA REDDY, J

02.04.2007
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